

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATIONAL INDOOR FOOTBALL )  
LEAGUE, L.L.C., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 R.P.C. EMPLOYER SERVICES, INC., )  
 )  
 Defendant. )  
 )  
 Civil Action No. 2:02-cv-548  
Hon. Terrence F. McVerry

**NOTICE OF APPEAL**

Notice is hereby given that Defendant, R.P.C. EMPLOYER SERVICES, INC., hereby appeals to the United States Court of Appeals for the Third Circuit from the Memorandum Opinion and Order of Court Denying Motion to Alter or Amend Judgment or to Grant a New Trial entered in this action on the 3rd day of October, 2007.

FECZKO & SEYMOUR

## BURNS, WHITE & HICKTON

By: s/ Michael J. Seymour  
Michael J. Seymour, Esquire  
PA ID No. 00260  
310 Grant Street, Suite 520  
Pittsburgh, PA 15219  
Telephone: (412) 261-4970  
Email: [mjseymour@covad.net](mailto:mjseymour@covad.net)

By: s/ Ira L. Podheiser  
John B. Cromer, Esquire  
PA ID No. 66773  
Ira L. Podheiser Esquire  
PA ID No. 46973  
Four Northshore Center  
106 Isabella Street  
Pittsburgh, PA 15212  
Telephone: (412) 995-3000  
FAX: (412) 995-3300  
Email: [ilpodheiser@bwhllc.com](mailto:ilpodheiser@bwhllc.com)

Attorneys for Defendant  
R.P.C. Employer Services, Inc.

Dated: October 15, 2007

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I served a true and correct copy of the within Notice of Appeal upon the following, on the 15th day of October, 2007:

***By First Class Mail:***

Hon. Terrence F. McVerry  
U.S. Post Office and Courthouse  
Sixth Floor  
Grant Street and Seventh Avenue  
Pittsburgh, PA 15219

***By Electronic Notice:***

Timothy C. Leventry, Esquire  
Leventry, Haschak, Rodkey & Klementik, LLC  
1397 Eisenhower Boulevard  
Richland Square III, Suite 202  
Johnstown, PA 15904

Bernard C. Caputo, Esquire  
John A. Caputo & Associates  
Three Gateway Center, 5th Floor East  
401 Liberty Avenue  
Pittsburgh, PA 15222

BURNS, WHITE & HICKTON

By: s/ Ira L. Podheiser  
Ira L. Podheiser, Esquire  
Attorneys for Defendant  
R.P.C. Employer Services, Inc.